

Memorandum

To: Tiverton Planning Board and all interested parties
From: Stuart Hardy
Subj: Tiverton Glen: Mixed Use Development Overlay District
Date: February 12, 2015

I would like to raise a strictly procedural question about our Tiverton Glen deliberations. The Planning Board is in a lengthy, two-step process of amending our Comprehensive Community Plan and then, if the Comprehensive Plan language is approved, amending our Zoning Ordinance in order to enable the development of the Tiverton Glen mixed use development on two parcels now zoned R-40.

I suggest that it may be quicker and simpler to establish a Mixed Use Development Overlay District in the Zoning Ordinance, including all of the uses proposed in the Tiverton Glen Master Plan, and applying to the parcels in question. We have taken a somewhat similar approach in the recent past with respect to the Villages at Mount Hope Bay and the Industrial Park.

Specifically, the overlay district might include Plat 110, Lot 102 (McInnis, 44 acres), Plat 301, Lot 220 (Brito, 18 acres) and possibly – if the owners approve - Plat 110, Lot 101 (Viti, 10 acres).

This approach would avoid unclear and confusing Comp Plan language that might create an unintended legal entitlement or open the door to mixed use development elsewhere in town.

We didn't amend the Comp Plan when we created the Manufactured Home Elderly Community (Country View), the Age Restricted Mixed Use Community (Villages at Mt. Hope Bay), the Planned Development Park (industrial park) or even the new Commercial Form-Based Code District.

Tiverton's 2006 Comp Plan is technically expired and a Town Council-appointed Comprehensive Plan Advisory Committee is making good progress toward a final draft of a major, thorough revision. Given the fact that the state views our Plan as suspended, I suggest that Statewide Planning might not accept our Tiverton Glen revisions and insist that they be incorporated into the much larger package. This would cause a serious delay.

If possible, I hope that we can take just a few minutes at the February 24 meeting to discuss the overlay district approach or something similar.